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SUBJECT: SRSG ADADA IN SHARP EXCHANGE WITH SECURITY COUNCIL
ON UNAMID

¶1. (SBU) Summary: On April 27, the Security Council held consultations on the Secretary General's April report on the hybrid United Nations/African Union Mission in Darfur (UNAMID). SRSG Adada characterized the situation in Darfur as a "low-intensity" conflict with a high-risk of escalation and said that the political process had been frozen by the International Criminal Court (ICC) indictment of President Bashir. Adada also discussed UNAMID's plans for a monitoring mechanism should cessation of hostilities occur, and he stressed that UNAMID was deeply concerned that the NGO expulsions could lead to a humanitarian catastrophe. The U.S., UK, France and Croatia disputed Adada's characterization of the conflict as "low-intensity" and with his remarks about the ICC, while China and Russia voiced approval of Adada's remarks. Members also discussed the NGO expulsions, ICC indictment, Chad/Sudan relations, the political process and UNAMID deployment. End Summary.

A Low-Intensity Conflict and Frozen Political Process

¶2. (SBU) The Special Representative for the Secretary-General for UNAMID Rodolphe Adada briefed the Security Council on the SYG's UNAMID report on April 27. He began his briefing by stating that the situation in Darfur had changed from the intense period in 2003 and 2004 when tens of thousands of people were killed. Adada said that, in numeric terms, the Darfur conflict had become low-intensity, noting that between January 2008 and March 2009, fewer than 2000 people were killed. Adada also alleged that the ICC indictment of Bashir had frozen the political process in Sudan and polarized political discourse, weakening moderates and strengthening extremists. Adada conveyed UNAMID's readiness to monitor a cessation of hostilities.

¶3. Adada emphasized the success of UNAMID's deployment, noting that two-thirds of military personnel have deployed. Adada also said that UNAMID's presence had made a difference, asserting that Muhajerija was a "disaster that did not happen," and that the August 2008 attack on Kalma camp could have resulted in far more deaths had UNAMID not been there. Adada acknowledged that UNAMID's primary responsibility is to protect civilians, and that UNAMID cannot be considered a success until the people of Darfur live in peace and security.

¶4. Adada expressed deep concern with the GOS decision to expel 13 non-governmental organizations on March 4 and 5, noting the complete alteration of the humanitarian situation and disruption of essential services to Darfuris. Adada also said that, while UNAMID does not have a humanitarian mandate, the international community would look to UNAMID for assistance should a humanitarian crisis develop. Adada emphasized strong support of his UNMIS colleagues' efforts to work with the GOS to manage the situation.

Council Members Push Back on Adada

¶15. Ambassador Rice disagreed that the conflict in Darfur is a low-intensity conflict, and stated that while thousands of Darfuris remain displaced in camps, the situation in Darfur remains a dangerous one. French PR Ripert also expressed surprise at Adada's characterization and agreed with Ambassador Rice that with thousands of people in camps, the conflict in Darfur is "high-intensity." UK Perm Rep Sawers disagreed with Adada's characterization of the ICC indictment as boosting the extremists' position and asserted that Adada's remarks conflicted with the Secretary General's report that called on the GOS to cooperate fully with the ICC. Sawers said that he hoped that in the future Adada would represent the Council to the GOS rather than vice versa. Ripert reiterated that Adada should take a clear message from the Council, which had referred the case to the ICC in UNSCR 1593.

NGO Expulsions -----

¶16. Ambassadors Rice, Sawers, Ripert, and Okuda began their remarks by emphasizing that the GOS expulsions of NGOs on March 4 and 5 remain a primary concern. Rice pointed to the tremendous effort that had been made to fill the humanitarian assistance gap and expressed hope that the GOS would fulfill its commitments. Sawers stated that there was no justification for the GOS expulsions and that the Council had called on the GOS to reverse its decision. Japanese DPR Okuda expressed concern about whether the assistance gap could be filled, and noted that no new NGOs have been able to register, despite GOS indications to the contrary.

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¶17. Libyan Perm Rep Shalgham claimed that the expelled NGOs had only provided 4.7 percent of the total amount of humanitarian assistance to Darfur. He also noted that 15 Arab NGOs would provide assistance. Chinese Political Counselor La stated that the ICC issuance of an arrest warrant against Bashir had triggered the suspensions and expressed appreciation for the "effective" measures to ease the humanitarian situation. Russian DPR Dolgov repeated that the expulsions were not justified and that the GOS must fully fulfill its obligations.

UNAMID Deployment -----

¶18. Ambassador Rice acknowledged the progress that U/SYG Malcorra had made but stressed that the Council should not be satisfied with 90 percent deployment two and a half years after the UNAMID mandate was established. She asked Adada what the UN's plans were for reaching 100 percent deployment and also what difference 90 percent deployment would make if key missing assets were not procured. Turkish PR Ilkin stated that operational capacity is more important than troop numbers. Croatia and Japan also expressed concern with the slow rate of UNAMID deployment.

ICC ---

¶19. UK Perm Rep Sawers said there had been no progress with regard to the indictment against Bashir and that all member states, whether state parties to the Rome statute or not, had an obligation to enforce this warrant. French Perm Rep Ripert stated that while France does not preclude application of Article 16 in principle, events on the ground in Darfur do not justify consideration of this option. Ripert reiterated that impunity for actions taken in 2003 and 2004 is not a solution. Japanese DPR Okuda agreed that Article 16 was not warranted at this time. Austrian Perm Rep Mayt-Harting stated that the indictment should not be used by any party as an excuse for withdrawing from the peace process.

¶10. Chinese rep La stated that Adada's statement on the ICC

was valid and the ICC warrant had adversely impacted the political process in Darfur. Libya and Russia also agreed with Adada's characterization of the ICC. Vietnam, Burkina Faso and Uganda likewise indicated that the ICC indictment had adversely effected the humanitarian situation in Darfur and political process efforts. Turkish Perm Rep Ilkin stated that the ICC indictment had no effect on the ground, observing that Bashir traveled throughout Africa and received "red carpet treatment." Ilkin also said that rumors that Bashir would be replaced subsequent to the indictment were not proven true, and the exact opposite occurred: Bashir's position was been strengthened.

Adada Responds

¶11. Adada said that his briefing had not contradicted the SYG report and that it was unfortunately accurate that the Doha process was stagnant as a result of the indictment. He reiterated that the situation in Darfur was no longer the situation that existed in 2003 and 2004 and that banditry was responsible for the majority of deaths that had taken place recently. Regarding UNAMID deployment, Adada noted that the UN could not reach 100 percent until the UN had pledges for all the missing units, and that aviation assets were needed to increase capacity and provide mobility to the 36 UNAMID sites, many of which are not accessible by land during the rainy season. Adada also said that the Friends of UNAMID had played a positive role in accelerating UNAMID's deployment. As to monitoring a ceasefire agreement, Adada noted that the USG had expressed interest in this and that as soon as hostilities ceased, UNAMID would be ready to implement a monitoring mechanism.

Rice